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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,718	10/17/2003	Susan B. Cirulli	END920030061US1 (16846)	3283
23389	7590	09/28/2006	EXAMINER	
SCULLY SCOTT MURPHY & PRESSER, PC 400 GARDEN CITY PLAZA SUITE 300 GARDEN CITY, NY 11530			ALLEN, WILLIAM J	
			ART UNIT	PAPER NUMBER
			3625	

DATE MAILED: 09/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/687,718	Applicant(s) CIRULLI ET AL.	
	Examiner William J. Allen	Art Unit 3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) 19 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10/17/2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Prosecution History Summary

Claim 19 has been added per Applicant's amendment filed 8/9/2006.

Claims 1-18 are rejected as set forth below.

Claim 19 has been withdrawn as being directed to a non-elected invention.

Response to Arguments

Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection. Applicant's amendment necessitated the new grounds of rejection.

Election/Restrictions

Newly submitted claim 19 is directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: Claim 19 recites elements such as "the act of said one of the approvers approving the proposal causes the notification of the proposal to be sent to another of the approvers" and "a first approver in a first country having a first currency, and a second approver in a second country having a second currency".

Previously filed claims 1-18 and newly added claim 19 are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct if they do not overlap in scope and are not obvious variants, and if it is shown that at least one subcombination is separately usable. In the instant case, newly added claim 19 has separate utility such as "the act of said one of the approvers approving the proposal causes the notification

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of the proposal to be sent to another of the approvers” and “a first approver in a first country having a first currency, and a second approver in a second country having a second currency”. See MPEP § 806.05(d). Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions require a different field of search (see MPEP § 808.02), restriction for examination purposes as indicated is proper.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claim 19 is withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1-4, 6-10, 12-16, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lemble (US 5315504) in view of Altman (US 6721921).**

Regarding claim 1, Lemble teaches:

preparing an electronic requisition form including a proposal for a requisition, wherein said proposal requires approval by each of a plurality of approvers (see at least: abstract, col. 1 lines 41-48, col. 15 line 58 – col. 16 line 23);

establishing an electronic list of the approvers for the proposal for requisition (see at least: abstract, Fig. 4, and 10-11, col. 2 lines 35-39, col. 7 lines 44-62 and “Function Table”, col. 11 lines 58-60, col. 17 lines 42-65); and

at defined times, electronically recalculating the list (see at least: col. 18 line 65-col. 19 line 35, col. 22 lines 1-16).

The Examiner notes that Lemble teaches changing the displayed name of the user according to the most recent approver to have acted on the requisition (i.e. displaying the previous approver who last acted on the requisition). Furthermore, Lemble teaches displaying the approver list with the decisions of approvers who have already acted on the requisition. Lemble, however, does not expressly teach at a defined time, recalculating the list *to change the names of the approvers on*

the list. Altman teaches tracking annotations and changes to a document, who has reviewed a document, if every required reviewer has reviewed the document, etc. (see at least: abstract). Altman additionally teaches the user notifying the system that he/she has acted upon and finished reviewing a specified document (i.e. at a defined time). Upon receipt of such a notification, the system records that the review is complete and removes the reviewer from the list of people to get reminders. In one embodiment, the submission of a review also triggers a message to the document "owner" or coordinator to notify the owner that one fewer review is outstanding (see at least: abstract, col. 8 lines 6-18). Thereby, Altman recalculates the list *to change the names of approvers on the list*. It would have been obvious to one of ordinary skill in the art at the time of invention to have modified the invention of Lemble to have included recalculating the list *to change the names of approvers on the list* as taught by Altman in order to provide an easy means to track annotations and changes to a document, who has reviewed a document, if every required reviewer has reviewed the document, etc. and further provide notification that one fewer review is outstanding to an owner/originator (see at least: Altman, abstract, col. 8 lines 6-18).

Regarding claim 2, Lemble in view of Altman teaches

(2) *wherein the step of recalculating the list includes the step of recalculating the list after each of at least some of the approvers act on the proposal for the requisition* (see at least: Altman, abstract, col. 8 lines 6-18).

(3) *wherein the step of recalculating the list includes the step of recalculating the list according to a given set rules* (see at least: Altman, abstract, col. 8 lines 6-18). The Examiner

notes that if a notification is received that a review is complete, a reviewer is removed from the list. This constitutes a rule governing when/how the lists are recalculated.

Regarding claim 4, Lemble in view of Altman teaches *wherein each of the approvers is associated with a computer station*, and further comprising the steps of:
after preparing the electronic requisition form, electronically sending the form to an application server and *the application server immediately sending the form to the computer station associated with one of the approvers* (see at least: Lemble, abstract, col. 2 lines 11-18, col. 17 lines 42-52).

Regarding claim 6, Lemble in view of Altman teaches *for each of at least some of the approvers, giving the approver an associated length of time to act on the proposal for the requisition and after the associated length of time electronically sending to the computer station associated with the approver a reminder notice to act on the proposal for requisition* (see at least: Altman, Fig. 14A-14B, col. 7 lines 48-62).

Regarding claims 7-10, 12-16, and 18, these claims closely parallel claims 1-4, and 6. Claims 7-10, 12-16, and 18 are rejected under the same rationale for at least the above reasons.

3. Claims 5, 11, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lemble in view of Altman as applied to claims 1-4, 6-10, 12-16, and 18 above, and further in view of Centner et al. (US 2002/0007324, herein referred to as Centner).

Regarding claims 5, 11, and 17, Lemble in view of Altman teaches all of the above as noted and further teaches *wherein each of the approvers is associated with a computer station*, and further comprising the steps of: after preparing the electronic requisition form, electronically sending the form to an application server and *the application server immediately sending the form to the computer station associated with one of the approvers* (see at least: Lemble, abstract, col. 2 lines 11-18, col. 17 lines 42-52). Lemble in view of Altman, however, does not expressly teach *after receiving the form, the application server immediately sending notices to the computer stations associated with the at least some of the approvers, said notices indicating that the form is available at the server*. Centner teaches *after receiving the form, the application server immediately sending notices to the computer stations associated with the at least some of the approvers, said notices indicating that the form is available at the server* (see at least: 0016, claim 1). The Examiner notes that the suppliers are notified of an RFQ/proposal for requisition to bid on (i.e. approve) automatically. It would have been obvious to one of ordinary skill in the art at the time of invention to have modified the invention of Lemble in view of Altman to have included *after receiving the form, the application server immediately sending notices to the computer stations associated with the at least some of the approvers, said notices indicating that the form is available at the server* as taught by Centner in order to automatically notify approvers of a proposal for requisition, thereby facilitating prompt responses (see at least: Centner, 0016, claim 1).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- US 5870717 discloses a system for ordering items over computer network using an electronic catalog

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William J. Allen whose telephone number is (571) 272-1443. The examiner can normally be reached on 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff A. Smith can be reached on (571) 272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

William J. Allen
Patent Examiner
September 15, 2006

WJ Allen
Primary Examiner